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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/589,984

08/18/2006

Wolfgang Roppitsch

P30332

2455

7055 7590 07/22/2008
GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER

FISCHER, JUSTIN R

ART UNIT

PAPER NUMBER

1791

NOTIFICATION DATE

DELIVERY MODE

07/22/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
pto@gbpatent.com

Office Action Summary	Application No. 10/589,984	Applicant(s) ROPPITSCH ET AL.	
	Examiner Justin R. Fischer	Art Unit 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-16 and 20-22 is/are rejected.
- 7) ☒ Claim(s) 17-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>032207</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 12-16 and 22 are rejected under 35 U.S.C. 103(a) as obvious over Armellin (WO03/045674). Armellin is directed to a pneumatic radial tire comprising two sidewalls, two bead areas, and two bead reinforcement structures 10, wherein tire cords of said reinforcement structure are arranged in the bead area without any embedding into a rubber strip (Page 11, Lines 27+). While the tire construction is not depicted with a pair of bead cores (only a pair of core profiles), the reference is more broadly directed to two-wheeled or four-wheeled vehicle tire constructions and it is extremely well known that bead cores represent of the fundamental components of modern day tire constructions (contributes to maintaining tire on rim assembly). One of ordinary skill in the art at the time of the invention would have found it obvious to include reinforcement structures 10 in a tire having bead cores and core profiles as they define fundamental tire components.

Regarding claims 13-16, the figures of Armellin depict each of the claimed constructions. Furthermore, while the figures of Armellin fails to expressly depict a construction in which the reinforcement structures lie directly against the core profiles, the reference is broadly directed to a tire construction including said structures in the

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sidewall region in order to provide increased stiffness in said sidewall region. One of ordinary skill in the art at the time of the invention would have recognized such a disclosure as including common tire constructions in which sidewall reinforcement structures abut or lie directly against core profiles (conventional tire constructions do not contain outer and inner plies as set forth in exemplary embodiment of Armellin). It is further noted that the figures and disclosure of Armellin teach a wide variety of embodiments in which the gradient can be smaller or larger in the inner area, as compared to the outer are, and applicant has not provided a conclusive showing of unexpected results for such an arrangement.

With respect to claim 22, the figures and disclosure of Armellin teach the claimed method (Page 17, Lines 35+).

3. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Armellin as applied in claim 12 above and further in view of Kono (JP 60-88609). As detailed above, Armellin generally describes the inclusion of reinforcement structures in a wide variety of tire constructions. While the reference fails to expressly depict a tire in which said structure is adjacent a fiber reinforced ply, such an arrangement is consistent with common tire constructions, as shown for example by Kono. Given the general disclosure of Armellin, one of ordinary skill in the art at the time of the invention would have readily appreciated the inclusion of reinforcement structures in a variety of known tire assemblies, including that detailed by the claimed invention.

4. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Armellin as applied in claim 12 above and further in view of Nishikawa (JP 2000-25423) and/or

Takanashi (JP 62-4615). As detailed above, Armellin generally describes the inclusion of reinforcement structures in a wide variety of tire constructions. While the reference fails to expressly depict a tire in which said structure is sandwiched between a first and second carcass ply, such an arrangement is consistent with common tire constructions, as shown for example by Nishikawa and/or Takanashi. Given the general disclosure of Armellin, one of ordinary skill in the art at the time of the invention would have readily appreciated the inclusion of reinforcement structures in a variety of known tire assemblies, including that detailed by the claimed invention.

Allowable Subject Matter

5. Claims 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mingers (DE 290328) and Iizuka (JP 2001-206026) teach pneumatic tire constructions comprising reinforcement structures having varied arrangements over the circumferential extent of the tire.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin R. Fischer whose telephone number is (571) 272-1215. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Justin Fischer
/Justin R Fischer/
Primary Examiner, Art Unit 1791